REMARKS

Claims 16-35 remain in this application. Claims 1-15 were previously canceled. Reconsideration of the application is requested.

The allowance of claim 26 is noted with appreciation.

Independent claim 16 is rejected under 35 U.S.C. § 103(a), along with various dependent claims, as unpatentable over the Yamada document relied on previously in view of newly cited U.S. Patent 3,810,275 to Smith. Reconsideration is requested.

Claim 16 above defines the vehicle storage compartment as including a storage compartment cover openable in first and second opening directions, and a particularly configured and arranged driving device that automatically pivots the storage compartment cover in either the first of the two opening directions or the second of the two opening directions after release of a lock. It is respectfully submitted that the limitations in claim 16 directed to these features serve to patentably distinguish the invention from the Yamada document and the Smith patent relied on.

In section 2 of the Office Action, at the bottom of page 2, the Examiner acknowledges that the Yamada document does not disclose a driving device that automatically pivots the storage compartment cover about an axis of rotation in an opening direction as required by claim 16. The Examiner, however, refers to the disclosure provided by lines 54-58 in column 3 of the Smith patent, and asserts that it would have been obvious to provide a driving device to the

Yamada apparatus as taught by Smith. It is respectfully submitted that this is not correct.

While lines 54-58 in column 3 of the Smith patent do provide that the torsion spring 8 is arranged to exert a force *urging* the hinge arm 1 to rotate to a hinge open position, the torsion spring is not in fact intended to, and does not, automatically pivot the Smith closure 24 in an opening direction as claim 16 requires. It is apparent from lines 21-26 in column 4 and from line 63 in column 4 to line 6 in column 5 of the Smith patent that the closure 24 is to swing down under its own weight. The torsion spring 8, which is provided to eliminate the danger of the closure 24 slamming down, desirably has tension that is substantially less than that completely counterbalancing the closure 24, so that there will be a tight seal between freezer body surface 36 and the gasket 37 (see column 4, line 67 to line 2 in column 5). A torsion spring having a tension that is less than that counterbalancing a closure, and preferably *substantially* less than such a tension, is not able to automatically pivot the closure about an axis of rotation in an opening direction. It follows that the Smith patent disclosure does not in fact suggest the modification proposed by the Examiner, and that the rejection of independent claim 16 should be withdrawn. The other secondary references discussed by the Examiner in sections 3-4 on pages 3-4 of the Office Action also fail to suggest the proposed modification, and claim 16 above is considered patentable. Dependent claims 16-25 and 27-35 should be patentable as well.

It is respectfully submitted that this application is now in allowable condition for reasons discussed above. If there are any questions regarding this Reply or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an extension of time sufficient to effect a timely response. Please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #095309.55723US).

Respectfully submitted,

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